

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

Case No. 5:25-CV-00118-M

MARQUITA FINCH,

Plaintiff,

v.

LELAND DUDEK,

Acting Commissioner of Social Security,

Defendant.

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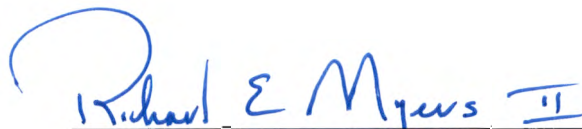
ORDER

This matter comes before the court on the Plaintiff's motion for leave to proceed in forma pauperis. DE 2. Pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), United States Magistrate Judge Robert B. Jones, Jr. issued a Memorandum and Recommendation ("M&R"), recommending that the court deny Plaintiff's motion. DE 7. Plaintiff timely filed a response, stating that she does not object to the recommendation and will pay the requisite filing fee. DE 8.

A magistrate judge's recommendation carries no presumptive weight. The court "may accept, reject, or modify, in whole or in part, the . . . recommendation[ ] . . . receive further evidence or recommit the matter to the magistrate judge with instructions." 28 U.S.C. § 636(b)(1); *accord Mathews v. Weber*, 423 U.S. 261, 271 (1976). The court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* § 636(b)(1). Absent a specific and timely objection, the court reviews only for "clear error" and need not give any explanation for adopting the recommendation. *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

Upon careful review of the M&R and the record presented, and finding no clear error, the court ADOPTS the recommendation of the magistrate judge as its own. For the reasons stated therein, Plaintiff's motion to proceed in forma pauperis [DE 2] is DENIED. Plaintiff shall pay the requisite filing fee no later than May 21, 2025.

SO ORDERED this 19<sup>th</sup> day of May, 2025.

  
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RICHARD E. MYERS II  
CHIEF UNITED STATES DISTRICT JUDGE